

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**

Tuesday, September 18, 2012 – 3:00 p.m. – Room 445 State Capitol

Members Present:

Speaker Rebecca D. Lockhart, Chair
President Michael G. Waddoups, Vice Chair
Sen. Patricia W. Jones
Sen. Peter C. Knudson
Sen. Benjamin M. McAdams
Sen. Karen W. Morgan
Sen. Wayne L. Niederhauser
Sen. Ross I. Romero
Rep. Brad L. Dee
Rep. Gregory H. Hughes
Rep. Ronda Rudd Menlove
Rep. Jennifer M. Seelig
Rep. Christine F. Watkins

Members Absent:

Sen. Scott K. Jenkins
Rep. Brian S. King
Rep. David Litvack

Staff Present:

Mr. Michael E. Christensen, Director
Mr. John L. Fellows, General Counsel
Ms. Phalin L. Flowers, Administrative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Lockhart called the meeting to order at 3:50 p.m. Sen. Jenkins, Rep. King, and Rep. Litvack were excused from the meeting.

MOTION: President Waddoups moved to approve the minutes of the June 19 and June 20, 2012 meetings. The motion passed unanimously with Sen. Romero absent for the vote.

2. Division of Risk Management Settlement

Mr. Joel Ferre, Assistant Attorney General, Utah Office of the Attorney General, explained that the settlement of any claim against the Risk Management Fund over \$500,000 must be approved by the governor and the Legislative Management Committee. He said that the Division of Risk Management has recommended that the state settle a case against the Nebo School District in excess of \$500,000, which requires action by the committee.

MOTION: President Waddoups moved to approve the settlement recommended by the Division of Risk Management at the maximum amount. The motion passed unanimously with Sen. Romero absent for the vote.

3. Legislative Desk Phone System

Mr. Thomas Vaughn, Associate General Counsel, Office of Legislative Research and General Counsel, distributed "Comparison of Bids and Other Cost Estimates for a Land Line Phone System." He explained that legislative staff narrowed the Request for Proposals for a new legislative desk phone system to two finalists: a hosted and a non-hosted voice over internet protocol (VoIP) system. He said that, based on their review of offered services, legislative staff made a recommendation to the Legislative Information Technology Steering Committee that the Legislature purchase a non-hosted VoIP system. The Legislative Information Technology Steering Committee adopted the recommendation of legislative staff at their

September 14, 2012, meeting and forwarded their recommendation to the Legislative Management Committee.

MOTION: Pres. Waddoups moved to approve the acquisition of a non-hosted VoIP phone system from ProTel Networks. The motion passed unanimously with Sen. Romero absent for the vote.

4. Independent Legislative Ethics Commission

President Waddoups introduced this item.

Ms. Joanne Milner, Commissioner, Independent Legislative Ethics Commission, explained the process the commission went through to interview applicants for the commission's position of executive director. She said the commission and the Department of Human Resource Management both recommend hiring Kim Bouck for the position. Ms. Milner also noted that the commission has not received an ethics complaint to date.

MOTION: President Waddoups moved that the Independent Legislative Ethics Commission use previously appropriated funds for any costs incurred in setting up an office and website for the commission. He also moved to authorize the hiring of Kim Bouck as the executive director for the commission at a capped salary of \$4,000 per year, with the understanding that the money will be used for doing the work of the commission. This position will have limited part-time hours, subject to change if a lengthy ethics complaint is filed, and will assist the commission in fulfilling its duties without soliciting work for the commission. The motion passed unanimously.

5. Letters to the Legislative Management Committee

Chair Lockhart discussed a letter from the Administrative Rules Review Committee regarding the administration of rabies vaccines to animals in animal shelters.

MOTION: Rep. Dee moved to assign this study item to the Natural Resources, Agriculture, and Environment Interim Committee. The motion passed unanimously.

Chair Lockhart discussed a letter from the Administrative Rules Review Committee regarding rulemaking of the Title and Escrow Commission.

MOTION: President Waddoups moved to assign this study item to the Business and Labor Interim Committee. The motion passed unanimously.

Chair Lockhart discussed a letter from the Business, Economic Development, and Labor Appropriations Subcommittee seeking approval to hold one meeting.

MOTION: President Waddoups moved to approve the request of the Business, Economic Development, and Labor Appropriations Subcommittee to hold one meeting and the subcommittee's submitted agenda. The motion passed unanimously.

Chair Lockhart discussed a letter from the Public Education Appropriations Subcommittee seeking approval to hold two meetings.

Mr. Ben Leishman, Fiscal Analyst, Office of the Legislative Fiscal Analyst, explained that the chair's intent for two meetings is for vendors to demonstrate products during the first meeting, give members time to think about any of the products demonstrated, and then discuss any possible Requests for Proposals during the second meeting.

MOTION: President Waddoups moved to approve the Public Education Appropriations Subcommittee's request to hold two meetings and the subcommittee's submitted agendas. He also moved that the chairs of the subcommittee receive a cautionary letter from the Speaker and the President indicating that they are not to develop sole-source legislation, but rather explore technologies that will allow an open discussion for future potential improvements to the state's education system. The motion passed with Rep. Menlove, Rep. Seelig, and Rep. Watkins voting in opposition.

Chair Lockhart discussed a letter from the Revenue and Taxation Interim Committee requesting a joint meeting with the Transportation Interim Committee.

The committee took no action on this item.

Chair Lockhart discussed a letter from the Health and Human Services Interim Committee requesting authorization to study two additional items during its October meeting. The first study item is licensing of pharmaceutical researchers in pharmaceutical research facilities associated with Utah universities or colleges, sponsored by Sen. Patricia Jones. The second item is amendments to the responsibilities of an amateur sports organization or its agent under Title 26, Chapter 53, Protection of Athletes with Head Injuries Act, sponsored by Rep. Paul Ray.

MOTION: President Waddoups moved to approve the request of the Health and Human Services Interim Committee to study two additional items during its October meeting. The motion passed unanimously.

6. Other Items / Adjourn

MOTION: President Waddoups moved to adjourn the meeting. The motion passed unanimously.

Chair Lockhart adjourned the meeting at 4:18 p.m.